

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING  
DIVISION OF PROFESSIONAL REGULATION  
BOARD OF EXAMINERS OF PLUMBERS**

**1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room**

**Cranston, RI 02920**

**Tuesday, May 17, 2016**

**9:00am**

**In attendance: Lionel Bernardino**

**Anthony Cardarelli**

**Larry Giorgi**

**Richard Mandarini**

**William J. Riley, Chair**

**Board Members Jeffrey Hutton, Michael Newman and Michael Raposa were not in attendance.**

**Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; Nicholas Ranone, Chief Mechanical Investigator and Mary Ellen McQueeney- Lally, DLT Legal Counsel;**

**1.) Call to Order: The meeting was called to order at 9:08 am by Chair William J. Riley.**

**2.) Minutes of February 16, 2016: Lionel Bernardino made a motion to accept the minutes of February 16, 2016; seconded by Larry Giorgi and passed unanimously.**

**3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: , Mary Ellen McQueeney-Lally DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest. If there is a conflict, or a board member feels they cannot be impartial, board members should recues from both hearing and voting on the matter. Legal counsel is available if needed. Forms are available.**

**4.) Violation Appeal Hearings:**

**Steven Cotton—Violation 5412**

**Steven Cotton, Tom Horlbogen, Brown Dog Builders and Robert Fabiano, Dave's Marketplace were in attendance.**

**E. Patrick Luther reads violation 5412**

**LOCATION OF VIOLATION: Dave's Marketplace, 18 Airport Rd,**

## **Warwick RI**

### **VIOLATION: 5-20-12 Corporations and firms engaged in business**

**On November 25, 2015, Rhode Island Chief Mechanical Investigator Nicholas Ranone conducted an investigation at the above location. Upon entering the premises, Mr. Ranone witnessed Steven J. Cotton of 22 Silver Lake Avenue, Pascoag, RI 02859 installing PVC Drainage in a trench in the floor. After further investigation, it was determined that Mr. Cotton was an employee of Tom Horlbogen, owner of Brown Dog Builders LLC. Mr. Ranone questioned Mr. Horlbogen and was informed that Mr. Horlbogen had instructed Mr. Cotton to install the PVC Condensate drain and assisted in the installation. Brown Dog Builders and Mr. Horlbogen do not hold a Master Plumbers License in RI. Also, Mr. Cotton is not a licensed plumber in RI. A permit was taken in the City of Warwick for the installation by Norman Pelletier MP001912 who was supposed to do the install. Brown Dog Builders took it upon themselves to start the installation because of time restrictions associated with the remodel. This is a violation of the above referenced Rhode Island General Law.**

**Chief Mechanical Investigator Nicholas Ranone testifies as to what he witnessed at the job site.**

**Mr. Horlbogen is questioned by the Board and testifies. Mr. Cotton is questioned by the Board and testifies.**

**Mr. Fabiano was not questioned nor did he testify.**

**Regarding Violation 5412, Leo Bernardino made a motion that a violation did occur; seconded by Richard Mandarin. The Board was unanimous and the motion passed.**

**Regarding the fine for Violation 5412, Lionel Bernardino made a motion that the fine of \$1,500.00 be reduced to \$1,000.00. There was a discussion by the Board. Anthony Cardarelli seconded that motion but made an amendment regarding the fine. The fine of \$1,500.00 be reduced to \$1,000.00; and the remaining fine of \$500 be suspended for one (1) year pending no further violation(s). Larry Giorgi seconded that amendment to that motion. Richard Mandarin seconded the fine regarding the penalty be reduced. The Board was unanimous and the motion passed.**

**Joseph Giorgi–Violation 5429 Mr. Giorgi was in attendance.**

**Board members Larry Giorgi and Lionel Bernardino recused themselves from this hearing.**

**LOCATION OF VIOLATION: Wyndam Hotel, 220 India Street, Providence, RI**

**Violation: 5-20-10 Work for which apprentice certificate required**

**On January 8, 2016 RIDLT Chief Mechanical Investigator Nicholas Ranone conducted an investigation at the above location. Upon entering the premises, he witnessed an individual installing plumbing in the bathroom. Oscar A. Lopez, of 40 Mica Avenue, Cranston, RI, was installing plumbing without an apprentice card as required by law. Mr. Lopez was working for Joseph Giorgi Plumbing, Master Plumber License Number MP001728 at the time of inspection. This is a violation of the above referenced Rhode Island General Law.**

**E. Patrick Luther reads Violation 5429.**

**Chief Mechanical Investigator Nicholas Ranone testifies as to what he witnessed at the job site.**

**Mr. Giorgi is question by the Board and testifies.**

**Regarding Violation 5429, Anthony Cardarelli made a motion that a violation was committed; seconded by Richard Mandarin. The Board was unanimous and the motion passed.**

**Regarding the fine for Violation 5429 Richard Mandarin made a motion that the fine of \$1,500.00 be upheld. There was no second to that motion. The motion did not pass.**

**There was a discussion by the Board.**

**A new motion was made regarding the fine for Violation 5429 by Anthony Cardarelli to reduce the fine of \$1,500.00 to \$750.00 based on the fact that Mr. Giorgi had never been before the Board. The remaining fine of \$750.00 be suspended for one (1) year pending no further violation(s); Richard Mandarinini seconded that motion. The Board was unanimous and the motion passed.**

**Eric Miguel—Violation 5428 Eric Miguel and Tyler Trial were in attendance.**

**LOCATION OF VIOLATION: 60 Brownell Street, Warren, Rhode Island**

**Violations: 5-20-10 Work for which apprentice certificate required  
5-20-24 License Displayed in place of business-advertising (b)  
On January 29, 2016, RIDLT Chief Plumbing Investigator E. Patrick Luther conducted an investigation at the above location. Upon entering the premises I witnessed Tyler J. Trial, of 20 Wing Street, Fall River, MA 02721, installing plumbing. Mr. Trial was installing plumbing without an apprentice card as required by law. Mr. Trial was working for Eric Miguel Plumbing, Master Plumber license number MP002269 at the time of inspection. The vehicle on site**

**owned by Eric Miguel, a white cargo van MA Commercial Registration H10-057 did not display license numbers as required. This is a violation of the above referenced Rhode Island General Law.**

**E. Patrick Luther reads Violation 5428. E. Patrick Luther testifies.**

**Mr. Miguel is questioned by the Board and testifies.**

**Mr. Trial is questioned by the Board and testifies.**

**Regarding Violation 5428, Anthony Cardarelli made a motion that a violation did occur; seconded by Lionel Bernardino. The Board was unanimous and the motion passed.**

**Regarding the fine for Violation 5428, Lionel Bernardino made a motion that the fine of \$3,000.00 be reduced to \$1,000.00. There was a discussion by the Board. Larry Giorgi seconded that motion. The Board was unanimous and the motion passed.**

**Tyler Trial—Violation 5427 Tyler Trial and Eric Miguel were in attendance.**

**LOCATION OF VIOLATION: 60 Brownell Street, Warren, Rhode Island**

**VIOLATION: 5-20-10 Work for which apprentice certificate required**

**On January 29, 2016, RIDLT Chief Plumbing Investigator E. Patrick Luther conducted an investigation at the above location. Upon entering the premises, I witnessed Tyler J. Trial installing plumbing. Mr. Trial was installing plumbing without an apprentice card as required by law. Mr. Trial produced a current Massachusetts Master Plumbers license. Mr. Trial was working for Eric Miguel Plumbing, Master Plumber license number MP002269 at the time of inspection. This is a violation of the above referenced Rhode Island General Law.**

**E. Patrick Luther reads Violation 5427. E. Patrick Luther testifies.**

**Mr. Trial is questioned by the Board and testifies.**

**Mr. Miguel is questioned by the Board and testifies.**

**Regarding Violation 5427, Anthony Cardarelli made a motion that a violation did occur; seconded by Lionel Bernardino. The Board was unanimous and the motion passed.**

**Regarding the fine for Violation 5427, Anthony Cardarelli made a motion that the fine of \$1,500.00 be reduced to \$750.00. The remaining fine of \$750.00 be suspended for one (1) year pending no further violation(s); Larry Giorgi seconded that motion. The Board**



**was unanimous and the motion passed.**

## **5.) Apprentice Program**

**Lionel Bernardino made a motion to move apprentice approvals to the next meeting. Larry Giorgi seconded that motion. The Board was unanimous and the motion passed.**

## **6.) Mandatory Continuing Education**

**Larry Giorgi made a motion to move Mandatory Continuing Education to the next meeting. Lionel Bernardino seconded that motion. The Board was unanimous and the motion passed.**

**7.) Adjournment: Anthony Cardarelli made a motion to adjourn; seconded by Leo Bernardino. The motion passed unanimously. Meeting adjourned at 9:47 am.**